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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,994	10/19/2001	Yoichi Miyazawa	110873	7087
25944	7590	11/16/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			BASOM, BLAINE T	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/981,994

Applicant(s)

MIYAZAWA, YOICHI

Examiner

Blaine Basom

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The abstract of the disclosure is objected to because it is too long, it comprises too much legal phraseology, and because the language of the abstract is not clear and concise. Applicant is reminded of the proper language and format for an abstract of the disclosure:

*The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.*

*The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.*

Appropriate correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

Claims 3 and 6 are objected to because of the following informalities: In claim 3, the use of the phrase "and/or" is objected to because it renders the claim indefinite, and because the phrase "at least one of" causes the "or" in the phrase "and/or" to be unnecessary. Appropriate correction is required. Referring to claim 6, the "and/or" is objected to for similar reasons as described above in regard to claim 3.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3, 4, 6, and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claims 1 and 7, there is no antecedent basis for "the screen" in claim 1, and "the display screen" in claim 7. In claim 3, there is no antecedent basis for "the initials," "the receiver," and "the sender," and in claim 4, there is no antecedent basis for "the receiver's name," "the sender's name," "the transmission time," "the message headline," and "the URL." As per claim 6, there is no antecedent basis for "the security level."

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2 and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,636,249, which is attributed to Rekimoto. In general, Rekimoto describes an information exchange service, such as an electronic bulletin board, whereby the information and

messages of the electronic bulletin board correspond to the user's position and location (for example, see column 1, line 51 – column 2, line 50).

Specifically regarding claim 1, Rekimoto discloses that the above-described electronic bulletin board may be implemented via a network-based system, wherein a server maintains the messages of the electronic bulletin board, and wherein a mobile information terminal, such as a wearable computer or a portable terminal, receives and displays the messages according to the user's location (see column 6, line 56 – column 8, line 11). Such a network-based system particularly employs icons to represent the messages, i.e. memos (for example, see column 9, line 40 – column 10, line 13). Consequently, the electronic bulletin board of Rekimoto is considered to comprise an "electronic message generating portion," like that of the claimed invention, for receiving a message and generating an icon message. These icons are displayed at specific locations on the bulletin board, which is presented to the user via a display screen (see column 10, lines 7-36). Therefore, the electronic bulleting board of Rekimoto is additionally considered to comprise a "bulletin board screen generating portion" and a "display portion," like those of the claimed invention, which are respectively for placing the icon messages at designated locations, and for receiving the output from the bulletin board screen generating portion and displaying the bulletin board on the screen. Since the messages are maintained by a server and transmitted to the user's computer according to his or her location, as is described above, the bulleting board of Rekimoto is understood to comprise a "transmitting/receiving portion," like that of the claimed invention, for communicating with a mobile information terminal, whereby a message ultimately from a mobile information terminal is received by the user's mobile information terminal and converted to an icon. In response to receiving a request

to read the icon message, the message is restored and transmitted to the various outputs of the user's mobile information terminal (for example, see column 10, lines 18-36).

Concerning claim 2, Rekimoto discloses that a user may create a message, such as a voice memo, and post the message on the bulletin board so that other users may receive the message (see column 10, lines 36-50). The bulletin board of Rekimoto is consequently considered to comprise an "input portion," like that of claim 2, which is for inputting a message to be posted on the bulletin board, and for inputting a request to read the messages of the bulletin board.

As per claims 5-7, Rekimoto discloses that the bulletin board displayed to the user comprises a "personal information tray," which is understood to comprise information accessible only to specified persons, namely to the user of the mobile information terminal (see column 10, lines 7-50). Additionally, Rekimoto discloses that the bulletin board comprises a "context-aware area," which is understood to display messages that are generally accessible to all users (see column 10, lines 7-50). The personal information tray and context-aware area of Rekimoto are therefore respectively considered a "private area screen preparation portion" and a "public area screen preparation portion," like those of the claim 5. Additionally, since it is understood that the user may only create or modify messages within the personal information tray, and since the user may permit access to the message by placing the message in the context-aware area (see column 10, lines 36-50), the bulletin board of Rekimoto is understood to determine whether an operation on an icon message was done in the personal information tray or in the context-aware area, and may permit access to the icon message based on this determination. The bulletin board of Rekimoto is consequently considered to comprise an "area determination portion" and a

“security management portion,” like those of claim 5. Specifically regarding claims 6 and 7, Rekimoto discloses that a user may create an icon message within the personal information tray, and may make the message available to other users by dragging-and-dropping the message within the context-aware area (see column 10, lines 13-50). It is consequently understood that the icon message can be moved within the personal information tray and context-aware area, or between these areas, by a drag-and-drop operation, whereby the security level changes when the icon messages crosses the boundary between the personal information tray and context-aware area. This personal information tray is also considered an “icon bar,” like that of claim 7, as it allows the user to prepare the icon message in advance, and place the message within other areas of the bulletin board by a drag-and-drop operation.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the first embodiment of the invention of Rekimoto, which is described above, and also over the third embodiment of the invention of Rekimoto, which is subsequently described. Specifically regarding claims 8 and 11, the first embodiment of Rekimoto entails an electronic bulletin board system comprising: an icon message generating portion for receiving a message and generating

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an icon message, a bulletin board screen generating portion for placing the generated icon message at a designated location, a display portion for receiving the output from the bulletin board screen generating portion and displaying the bulletin board on the screen, and a transmitting/receiving portion for communicating with a mobile information terminal, wherein the icon message generating portion receives a message from the mobile information terminal and converts the message to an icon, receives a request for reading the icon message and restores the icon message, and transmits the restored message to the mobile information terminal, as is described above. In other words, Rekimoto, in the first embodiment, describes a bulletin board system in which the messages of the bulletin board are displayed to the user of a mobile information terminal based on his or her location. Since the messages are displayed according to the user's location, the bulletin board system of the first embodiment is considered to comprise a plurality of bulletin boards, with each bulletin board being associated with a particular location. Rekimoto further discloses that, upon receiving a request from a mobile information terminal to access any one of the plurality of electronic bulletin boards, a server sends access information, particularly the messages of the bulletin board, to the mobile information terminal (for example, see column 7, line 58 – column 8, line 15; and column 9, line 40 – column 10, line 6). To do so, the server maintains a database for pre-storing the relationship between each of the plurality of electronic bulletin board messages and the possible user locations, and uses this database to extract the most preferred electronic bulletin board messages from among the plurality of electronic bulletin board messages (see column 7, line 58 – column 8, line 15). As described above, the server may then acquire and transmit each of these messages to the user's mobile information terminal. The first embodiment of the electronic bulletin board of Rekimoto is



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therefore considered to comprise a “central server,” like recited in claims 8 and 11. Rekimoto, however, discloses that the first embodiment implements IR beacons to detect the user’s location (see, for example, column 6, line 60 – column 7, line 21; column 8, lines 50-60; and column 9, lines 19-25). Consequently, Rekimoto does not explicitly disclose that the first embodiment applies radio base station sites to determine the location of the user, or like expressed in claims 8 and 11, Rekimoto does not disclose that the database pre-stores the relationship between the locations of the plurality of electronic bulletin boards and the zones of a plurality of radio base station sites of the mobile information terminal, whereby the server receives, with the bulletin board access request, identification information used for communication by the mobile information terminal.

Like the first embodiment, the third embodiment of the invention of Rekimoto entails an electronic bulletin board system, which comprises a server for storing bulletin boards corresponding to particular locations, whereby a bulletin board is displayed to the user of a mobile information terminal according to his or her location (see column 19, lines 24-65). The third embodiment of Rekimoto specifically teaches a bulletin board system comprising a plurality of electronic bulletin boards and a central server that, upon receiving a request from a mobile information terminal to access anyone of the plurality of electronic bulletin boards, sends access information to the mobile information terminal (see, for example, column 20, lines 44-55). Regarding the claimed invention, Rekimoto discloses that the third embodiment may implement PHS (Personal Handyphone System) to detect the user’s location, and in doing so, the server comprises a database for pre-storing the relationship between the locations of the plurality of electronic bulletin boards and the zones of a plurality of radio base station sites of the mobile

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information terminal (see column 19, line 66 – column 20, line 4; column 25, line 8 – column 26, line 17; and column 26, lines 41-49). The server extracts the most preferred electronic bulletin board from among the plurality of electronic bulletin boards, and transmits access information on the extracted electronic bulletin board to the mobile information terminal (for example, see column 26, line 41 – column 27, line 6).

It would have been obvious to one of ordinary skill in the art, having the above-described embodiments of Rekimoto before him at the time the invention was made, to modify the first embodiment taught by Rekimoto such that it implements PHS, instead of IR beacons, to detect the user's location, as is done in the third embodiment. In other words, it would have been obvious to modify the central server of the first embodiment to comprise a database for pre-storing the relationship between the locations of the plurality of electronic bulletin boards and the zones of a plurality of radio base station sites of the mobile information terminal. It would have been advantageous to one of ordinary skill to utilize such a combination because Rekimoto discloses that the first embodiment may apply PHS to detect the user's location (see column 12, lines 52-56). Unlike beacons, which are required to be installed at each location for which a bulletin board is desired (for example, see column 8, lines 50-56), PHS may utilize an existing cellular infrastructure to detect the user's location (for example see column 25, line 35 – column 26, line 17). Systems implementing PHS may therefore be used by a broader audience, and would require less developmental resources.

Concerning claims 9, 10, and 12, Rekimoto discloses that the icon messages within each of the plurality of bulletin boards may be accessed through a single interface, even when the user is not at a location associated with any of the bulletin boards (for example, see column 8, lines

22-34; and column 12, lines 35-43). In this case, the server is considered to receive messages from the plurality of electronic bulletin boards, and unfold the messages on its own bulletin board, whereby the server may access this bulletin board instead of one of the plurality of other bulletin boards to transmit a message. Additionally, all of the icons messages are considered to be transmitted to a portion of the bulletin boards, specifically to a single bulletin board.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over the U.S. Patent of Rekimoto, as described above in the rejection for claim 1, and also over U.S. Patent No. 6,434,222, which is attributed to Shaffer et al. (and hereafter referred to as "Shaffer"). As described above, Rekimoto teaches generating an electronic bulletin board like that of claim 1, whereby the messages of the electronic bulletin board are represented by icons. These icons are displayed within particular areas of the user's computer screen, and upon receiving a request for reading one of these icons, the message corresponding to the requested icon is output (for example, see column 10, lines 13-36). Rekimoto, however, does not explicitly disclose that the icon messages include text information on the initials, a nickname, or a symbol of the receiver or sender of the message, as is recited in claim 3, or that the icon messages comprise additional information containing the receiver's name, the sender's name, the transmission time, password information, a message headline, or a URL, as is expressed in claim 4.

Like Rekimoto, Shaffer teaches displaying icons, representative of messages, on a user's computer screen (for example, see column 3, line 66 – column 4, line 8). It is understood that in response to selecting one of these icons, the corresponding message is output. Regarding claim 3, Shaffer additionally teaches including, with the icon message, text information on the initials,

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a nickname, or a symbol of the sender of the message, and regarding claim 4, Shaffer teaches including, with the icon message, information on the sender's name and the subject, i.e. headline, of the message (for example, see figure 3).

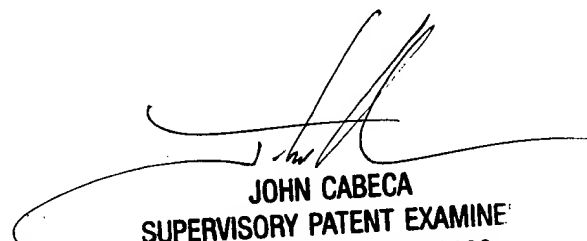
It would have been obvious to one of ordinary skill in the art, having the teachings of Rekimoto and Shaffer before him at the time the invention was made, to modify the icon messages of Rekimoto, such that they include text information on a name, nickname, the initials, or a symbol of the sender of the message, and text information of the subject of the message, as is done by Shaffer. It would have been advantageous to one of ordinary skill to utilize such a combination because, with a plurality of icon messages, such information aids the user in choosing a message to be output, as is demonstrated by Shaffer.

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. The applicant is required under 37 C.F.R. §1.111(C) to consider these references fully when responding to this action. The Teibel et al. U.S. Patent cited therein describes a bulletin board system, whereas the Naidoo U.S. Patent cited therein describes a bulletin board system, wherein the messages of the bulletin boards are displayed based on the user's location. The Hamada U.S. Patent cited therein teaches representing files as icons, and dragging and dropping such icons into a public area screen and a private area screen, like those recited in claims 5-7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb



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